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12 Counsel for Defendants

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE DISTRICT OF NEVADA**

15 PEGGY COLLINS,

16 Plaintiff,

17 v.

18 C. R. BARD, INCORPORATED and BARD
19 PERIPHERAL VASCULAR, INCORPORATED,

20 Defendants.
21

Case No. 2:19-cv-01864-RFB-BNW

**STIPULATION TO EXTEND
DISCOVERY AND PRE-TRIAL
DEADLINES (THIRD REQUEST)**

22 Comes now, Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard”
23 or “Defendants”) and Plaintiff Peggy Collins (“Plaintiff”), by and through their undersigned
24 counsel of record, pursuant to LR IA 6-2, and hereby stipulate that the discovery deadlines
25 are extended by sixty (60) days and as detailed below. This Stipulation is entered into as a
26 result of the current national emergency caused by the spread of COVID-19 and difficulties
27 in locating and scheduling the depositions of Plaintiff’s treating physicians.

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Pursuant to Federal Rules of Civil Procedure 6(b) and 26, and the Court’s inherent authority and discretion to manage its own docket, this Court has the authority to grant the requested extension. Fed. R. Civ. P. 6(b) (“When an act may or must be done within a specified time the court may, for good cause, extend the time....”); Fed. R. Civ. P. 26(a) (“A party or any person from whom discovery is sought may move for a protective order in the court where the action is pending . . . The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.”). Furthermore, Federal Rules of Civil Procedure 26(c) and 26(d) vest the Court with authority to limit the scope of discovery or control its sequence. *Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) (“Rule 26 vests the trial judge with broad discretion to tailor discovery narrowly and to dictate the sequence of discovery.”).

This Court therefore has broad discretion to extend deadlines or stay proceedings as incidental to its power to control its own docket – particularly where, as here, such action would promote judicial economy and efficiency. *Bacon v. Reyes*, 2013 U.S. Dist. LEXIS 143300, at *4 (D. Nev. Oct. 3, 2013) (citing, *Munoz-Santana v. U.S. I.N.S.*, 742 F.2d 561, 562 (9th Cir. 1984)) (“Whether to grant a stay is within the discretion of the court”); *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1109 (9th Cir. 2005) (“A district court has discretionary power to stay proceedings in its own court.”); *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”).

For the foregoing reasons, the parties stipulate and request that this Court modify the Stipulated Discovery Plan and Scheduling Order, Dkt. 30, as follows:

PROPOSED DATE	DEADLINE
January 12, 2021	Close of case-specific fact discovery.
March 29, 2021	Parties shall produce case-specific expert reports.
April 28, 2021	Parties shall produce any case-specific rebuttal expert reports.

PROPOSED DATE	DEADLINE
May 28, 2021	Deadline to depose Plaintiff's experts about their case-specific reports.
June 21, 2021	Deadline to depose Defendants' experts about their case-specific reports.
August 9, 2021	Deadline to file Daubert motions and other dispositive motions.

IT IS SO STIPULATED.

DATED this 20th day of October 2020.

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IT IS SO ORDERED

DATED: 4:03 pm, October 23, 2020

BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE